

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 03, 2025

SEAN F. MCAVOY, CLERK

U.S.A. vs. Kekahuna, Desiree L. Docket No. 0980 2:25CR00003-RLP-2

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Desiree L. Kekahuna, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke sitting in the court at Spokane, Washington, on the 29th day of January 2025, under the following conditions:

Condition #4: Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

Condition #12: Controlled Substances Prohibition: Defendant shall not use or possess any narcotic drug or other controlled substances as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized to use medical marijuana under state law and regardless of whether marijuana is legal under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 3, 2025, the undersigned officer reviewed the conditions of pretrial release supervision with Ms. Kekahuna. Ms. Kekahuna acknowledged an understanding of the conditions at that time.

Violation #1: Desiree L. Kekahuna is alleged to have violated the conditions of pretrial release supervision by failing to appear for a scheduled hearing before the Honorable Rebecca L. Pennell, U.S. District Judge, on May 6, 2025.

On May 6, 2025, Ms. Kekahuna was scheduled to appear before the Honorable Rebecca L. Pennell, U.S. District Judge, for a scheduled pretrial conference. Ms. Kekahuna failed to appear for this hearing. The Court did not issue an arrest warrant at that time, and the pretrial conference was reset for May 7, 2025.

Later on May 6, 2025, the undersigned officer contacted Ms. Kekahuna to discuss her failure to appear before the Court. Ms. Kekahuna advised she was aware of the hearing, but was ill. Subsequently, the undersigned officer advised Ms. Kekahuna of her next appearance before the Court that was reset for May 7, 2025.

On May 7, 2025, Ms. Kekahuna, appeared before the Court for her pretrial conference. Her next scheduled pretrial conference is on June 10, 2025.

Violation #2: Desiree L. Kekahuna is alleged to have violated the conditions of pretrial release supervision by testing positive for the presence of fentanyl and methadone on May 6, 2025.

On May 6, 2025, Ms. Kekahuna reported to her substance abuse treatment provider, New Horizons Care Center (NHCC), and provided a urine specimen for the purpose of drug testing. The urine specimen was sent to Drug Scan for laboratory testing.

On or about May 10, 2025, Drug Scan confirmed the above-noted urine specimen tested positive for the presence of fentanyl and methadone, as well as other prescribed medication.

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Subsequently, the undersigned officer confronted Ms. Kekahuna regarding her use of fentanyl and methadone. Ms. Kekahuna acknowledged she had an old prescription for methadone that she ingested, but was unable to provide documentation to confirm the prescription. Additionally, Ms. Kekahuna denied any recent use of fentanyl. She stated her last use of fentanyl was on or about March 8, 2025.

It should be noted, the undersigned officer spoke with Ms. Kekahuna's substance abuse counselor at NHCC. She confirmed Ms. Kekahuna's laboratory report from Drug Scan indicated she had 6 ng/ml of fentanyl in the sample. The counselor suspected the positive result for fentanyl was most likely a result of the substance being excreted from her body due to past heavy use.

Violation #3: Desiree L. Kekahuna is alleged to have violated the conditions of pretrial release supervision by testing positive for the presence of methadone on May 7, 2025.

On May 7, 2025, Ms. Kekahuna reported to her substance abuse treatment provider, New Horizons Care Center (NHCC), and provided a urine specimen for the purpose of drug testing. The urine specimen was sent to Drug Scan for laboratory testing.

On or about May 10, 2025, Drug Scan confirmed the above-noted urine specimen tested positive for the presence of methadone, as well as other prescribed medication.

Subsequently, the undersigned officer confronted Ms. Kekahuna regarding her use of methadone. Ms. Kekahuna advised she had recently ingested methadone, which was reportedly an old prescription. However, Ms. Kekahuna was unable to provide documentation to confirm the prescription.

Violation #4: Desiree L. Kekahuna is alleged to have violated the conditions of pretrial release supervision by testing positive for the presence of norfentanyl on May 7, 2025.

On May 7, 2025, Ms. Kekahuna reported to the U.S. Probation Office and provided a urine specimen that tested presumptive positive for the presence of fentanyl, methadone, and buprenorphine. Ms. Kekahuna denied any recent use of fentanyl. She advised she has a valid prescription for Suboxone (buprenorphine) and methadone. She agreed to provide documentation supporting her prescription for Suboxone and methadone. She denied any recent use of fentanyl. Subsequently, the sample was sent to Alere Toxicology Services (Alere) for further confirmation for the fentanyl result.

Later, Ms. Kekahuna was able to provide documentation showing a valid prescription for suboxone. She stated that she ingested methadone using an old prescription, but was unable to provide documentation supporting a valid prescription for this medication.

On May 14, 2025, Alere confirmed the above-noted urine specimen tested positive for the presence of norfentanyl, which is a metabolite of fentanyl.

The undersigned officer has had multiple discussions with Ms. Kekahuna regarding her use of fentanyl. Ms. Kekahuna has consistently advised her last use of fentanyl was on or about March 8, 2025.

PRAYING THAT THE COURT WILL ORDER A SUMMONS

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I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: June 3, 2025

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

6/3/25

Date